

AO 106 (Rev. 04/10) Application for a Search Warrant

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UNITED STATES DISTRICT COURT

for the

Western District of Washington

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)Three individuals,
more particularly described in Attachment A

Case No.

MJ19-303

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, attached hereto and incorporated by reference herein.

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, attached hereto and incorporated by reference herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. 922(g)(1)

Offense Description
Felon in Possession of a Firearm

The application is based on these facts:

Please see Affidavit of ATF TFO Eric Steffes, attached hereto and incorporated by reference herein.

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Eric Steffes, ATF Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: 07/01/2019

Judge's signature

City and state: Seattle, Washington

Mary Alice Theiler, United States Magistrate Judge

Printed name and title

AFFIDAVIT OF TASK FORCE OFFICER ERIC STEFFES

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

I, Eric Steffes, a Task Force Officer with the United States Department of Justice Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), having been duly sworn, state as follows:

INTRODUCTION

1. This Affidavit is submitted in support of an Application for a Search Warrant to search the persons of Devaughn DORSEY, Leo DICKERSON, and Hamead ABDULLAHI for the purpose of obtaining a DNA sample from each of them. The Washington State Patrol Crime Laboratory will use the sample to generate a DNA profile, which it will then compare to any DNA profile generated from the DNA samples obtained from the firearms.
2. DICKERSON and DORSEY are currently in custody at the Federal Detention Center in SeaTac, Washington, pending resolution of alleged supervised release violations.
3. ABDULLAHI has been charged with felony assault and unlawful possession of a firearm in King County Superior Court and is currently in custody at the King County Jail in Kent, Washington.
4. As set forth in greater detail below, DORSEY, DICKERSON and ABDULLAHI are each convicted felons currently on federal supervised release for firearm-related convictions. DORSEY, DICKERSON, and ABDULLAHI were contacted together by Seattle Police on May 20, 2019, approximately two hours after a shooting in Kent. They were driving in a red Dodge Charger registered to

ABDULLAHI. Evidence collected during the investigation established probable cause to arrest ABDULLAHI for assault in the first degree with a firearm.

5. Surveillance video obtained during the investigation establishes that DORSEY was driving with ABDULLAHI in the red Dodge Charger less than an hour before the shooting. Because DICKERSON told police that he was with DORSEY all evening, it is likely that DICKERSON was also in the vehicle with DORSEY and ABDULLAHI before the shooting.

6. When these three individuals were stopped after the shooting, DORSEY was driving the vehicle, ABDULLAHI was sitting in the front passenger seat, and DICKERSON was sitting in the rear passenger seat. Kent Police searched the vehicle pursuant to a warrant and found a backpack next to where DICKERSON had been sitting. The backpack contained three firearms. One of the firearms has been preliminarily linked to the shooting in Kent.

7. I obtained two DNA samples from each of the firearms using cotton swabs. The swabs have been submitted to the Washington State Patrol Crime Laboratory for DNA analysis.

AFFIANT BACKGROUND AND QUALIFICATIONS

8. I am a commissioned law enforcement officer for the Kent Police Department (PD), and have been since 2006. I am currently assigned as a detective with Kent PD's Special Investigations Unit. This assignment includes investigations of crimes involving narcotics, vice, stolen property, violent assaults, and gangs. I have been in this position off and on since August 2008.

9. In September 2015, I was assigned to the Bureau of Alcohol, Tobacco and Firearms (ATF) Seattle Violent Crimes Task Force. I serve as a federally commissioned Task Force Officer with this unit, which is made up of ATF special agents, local law enforcement and Washington Department of Corrections CCO's.

10. I have successfully completed the Basic Law Enforcement Academy (720 hours), and I have received additional training from the Washington State Criminal Justice Training Commission, the Washington State Department of Corrections, the Northwest Gang Investigators Association, Northwest HIDTA, and the King County Meth Action team. Additionally, I completed the ATF's Joint Law Enforcement Officers (JLEO) Academy, wherein we received instruction on federal law, specifically firearm regulations and enforcement.

11. In my career, I have received over 300 hours of training in gang enforcement, intelligence and intervention. I have provided over 80 hours of gang-related training to a number of different audiences. I am recognized as a Gang Expert by the office of the King County Prosecutor and have testified as such on four cases.

12. Since coming to the Kent Police Department, I have documented approximately 400 gang members. I have the responsibility to track all gang activity and trends in the Kent area. I have investigated gang members for a number of crimes, to include (but not limited to) homicide, robbery, assault, drive-by shootings, drugs, robbery, burglary, and graffiti.

SOURCES OF INFORMATION

13. I make this Affidavit, in part, based on personal knowledge derived from my participation in this investigation and, in part, based upon information gained from, but not limited to, the following sources: (1) investigation conducted by other law enforcement personnel, whose findings and observations have been reported to me either directly or indirectly; (2) statements of witnesses; (3) court, business, and public records; and (4) law enforcement database inquiries.

14. Except as otherwise noted, the information set forth in this Affidavit has been provided to me by other law enforcement officers. Unless otherwise noted, whenever in this Affidavit I assert that a statement was made, the information was provided by another law enforcement officer (who may have had either direct or hearsay knowledge of the statement) to whom I have spoken or whose report I have read and

reviewed. Such statements are among many statements made by others and are stated in substance, unless otherwise indicated. Dates and times provided herein are approximate.

15. Furthermore, my experience as a task force officer and as a police officer/detective forms a basis for the opinions and conclusions set forth below.

16. Because this Affidavit is offered for the limited purpose of establishing probable cause in support of the application for a search warrant, it does not contain all of the information that the government possesses related to this investigation. I have set forth only the facts that I believe are necessary to the determination of probable cause to believe that the DNA evidence to be gathered pursuant to this affidavit will contain evidence of the offense of Felon in Possession of a Firearm, in violation of Title 18, United States Code, Section 922(g)(1).

SUMMARY OF PROBABLE CAUSE

Shooting at the Apex Apartments in Kent

17. On May 20, 2019, at 12:51 a.m., Kent Police Department officers responded to a shooting at the Apex Apartments, 25011 46th Avenue South, in Kent, Washington. The shooting victim, DT, was lying on the ground covered in blood and had gunshot wounds to both his legs. DT was transported to Harborview Medical Center for medical treatment of a life-threatening arterial injury.

18. At the scene, officers located 10 spent cartridge casings of 9mm caliber, which they collected and entered into evidence.

19. The suspect fled from the scene in what witnesses described as a red Dodge Charger with distinct large rims. Neighbors who witnessed the incident described the suspect as a male wearing a grey hooded sweatshirt and grey sweatpants.

20. Kent Police Detective Melanie Robinson was assigned this case as lead investigator. Her investigation revealed that DT had just left a woman's apartment when he was shot. The woman, KW, has been in a dating relationship with DT, and had also

been involved in a relationship with a man named Hamead ABDULLAHI. KW denied that she was romantically involved with ABDULLAHI, but admitted that ABDULLAHI was interested in a romantic relationship with her and that she allowed him to give her gifts.

21. KW said that she asked DT what happened after he was shot, and DT said something to the effect of "It was your boyfriend." In a 911 call immediately after the incident, the following statements were recorded:

DT: I've been shot, I need help now. Need help now. Need help now. I'm in Kent. I don't know. I'm outside. Help me.

KW: Oh my God what happened.

DT: Your f---ing boy did it.

KW: Where are you hit? Oh my God, I love you [DT], I'm so sorry. Where are you hit babe? I am so sorry, I love you so much. He's hit, somebody shot him. I don't know what happened. I just heard the shots and left my house. Was it him babe? Was it him? I think it was Hamead.

22. One neighbor, MM, said he heard gunshots and saw a red "Malibu or Dodge" vehicle with its headlights off, backed in close to the mailboxes at the base of the hill near the entrance to the Apex Apartment complex.

23. Another neighbor, BW, also saw a car parked near the mailboxes at the time of the shooting. He saw a subject get into the passenger side of the car, and the subject yelled, "Let's go, let's go."

24. A third neighbor, ES, looked out his window after he heard gunshots. He saw a male walking eastbound to a rock wall where he jumped over to the street below (46th Avenue South). Due to the level of the road, ES lost sight of the male momentarily and then saw a red Dodge Charger leave the area, northbound, with its headlights off.

25. Based on information provided by KW and database searches, Kent Police learned that ABDULLAHI was the registered owner of a red 2006 Dodge Charger

bearing license plate SU00234, registered at an address in Seattle. Seattle Police were advised of the shooting and asked to look for ABDULLAHI's red Dodge Charger at the vehicle's registered address.

Vehicle Stop of DORSEY, DICKERSON, and ABDULLAHI

26. At 2:48 a.m. on May 20, 2019, approximately two hours after the shooting, Seattle Police stopped ABDULLAHI's red Dodge Charger near his residence in Seattle. The driver was Devaughn DORSEY. Hamead ABDULLAHI was sitting in the front passenger seat. Leo DICKERSON was sitting in the rear passenger seat on the right side.

27. Kent Police Detective Galetti and I responded to the scene and interviewed DORSEY. After being advised of his *Miranda* rights, he told us that that he was picked up by his friends, whose names he refused to provide, at some "restaurant" in Burien. He did not give a specific time but stated he and his friends were only together for a maximum of two hours prior to being pulled over by Seattle Police. He said his friend had been driving the Charger but that he began driving because he had a license and the others had been drinking.

28. DORSEY said at some point they drove to the QFC on Capitol Hill to pick up a bottle of Courvoisier liquor. He said that he was not in Kent today and had no idea why police pulled them over. DORSEY said there was no suspicious conversation in the vehicle and all they were doing was driving around "looking for females."

29. Detective Galetti and I also advised DICKERSON of his *Miranda* rights and interviewed him at the scene. He told us that DORSEY was his friend and the two had been hanging out together at DORSEY's girlfriend's house in Burien since Friday (May 17, 2019). DICKERSON said that ABDULLAHI came to the Burien house around 1:00 a.m.. DICKERSON claimed that he had not met ABDULLAHI before this evening. DICKERSON said DORSEY came to him and said, "Come on bro, I'm trying to leave." Since the two had been in the Burien house since Friday, DICKERSON welcomed the opportunity to leave the residence and "get some fresh air."

30. DICKERSON stated that he got in the backseat of ABDULLAHI's Dodge Charger. He said that ABDULLAHI was driving and DORSEY was sitting in the front passenger seat. DICKERSON claimed that he did not know where they were going or what they were doing. He said that DORSEY took over driving because he had a valid license and ABDULLAHI did not.

Firearms Recovered from the Vehicle

31. Detectives served a search warrant on ABDULLAHI's Dodge Charger and located a black backpack in the backseat, next to where DICKERSON had been sitting:



32. The backpack contained three firearms:
- One Glock 22 .40 caliber pistol;
 - One Springfield XD 9mm caliber pistol; and
 - One Walther PPQ 9mm caliber pistol.

33. The Springfield XD 9mm pistol and the Walther PPQ 9mm pistol had been reported stolen in the burglary of a federal firearms dealer in Kitsap County, Washington, on or about April 29, 2019.

34. The firearms were analyzed for latent prints, and no prints of comparison value were recovered.

35. I obtained two DNA samples from each of the firearms using cotton swabs. The swabs have been submitted to the Washington State Patrol Crime Laboratory for DNA analysis.

36. Spent cartridge casings from the shooting at the Apex Apartments were compared to spent cartridge casings from a test-firing of the Walther PPQ 9mm caliber pistol, using the National Integrated Ballistic Information Network (NIBIN).¹ Through this comparison, a trained Washington State Patrol Crime Lab Firearms Unit examiner sent a preliminary lead notification indicating that the unique markings on the spent 9mm caliber cartridge casings from the Apex Apartments were consistent with the spent cartridge casings fired from the Walther PPQ 9mm caliber pistol recovered from ABDULLAHI's car.

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¹ Through training, research, and experience, I am aware that when a gun is made, the manufacturing equipment etches microscopic markings onto the gun's metal parts. These markings, called tool marks, are transferred to a bullet or cartridge case when the gun is fired. These unique marks allow forensic firearm examiners to determine, among other things, whether a particular fired cartridge case was fired from a specific gun or whether different fired cartridge cases were fired from the same gun.

I am also aware that ATF maintains a database of digital images of spent bullets and cartridge cases that were found at crime scenes or test-fired from confiscated weapons. This database is called the National Integrated Ballistics Information Network (NIBIN). ATF manages the system and provides the equipment to crime labs around the country. An entry technician uses ballistic imaging to convert the spent rounds into two- or three-dimensional digital images that are uploaded into NIBIN. NIBIN can be searched for possible matches — that is, other rounds that have similar tool marks and thus may have been fired from the same gun. After a possible match, or "hit" is identified, the Washington State Patrol Crime Lab Firearms Unit sends a presumptive investigative lead notification to the case investigators. This lead can later be confirmed by microscopic comparison by a forensic firearms examiner.

Location Data and Surveillance Videos

37. At the time of the shooting, the Bellevue Police Department had been monitoring ABDULLAHI's cellular phone location pursuant to a warrant as part of an unrelated fraud investigation. The records showed that ABDULLAHI was at or near a Jack-in-the-Box restaurant on Rainier Avenue South in Seattle from around midnight until 12:10 a.m. He then traveled southbound down Rainier Avenue South, continued southbound onto SR 167 from Rainier Avenue South, and then appeared to travel westbound on Kent Des Moines Road at 12:39 a.m. At that time, ABDULLAHI was located approximately one mile east of where DT was shot at the Apex apartments approximately 12 minutes later (12:51 a.m.). There was then a gap in data until 12:52 a.m., at which time ABDULLAHI's phone was located approximately ¼ mile west of the shooting scene.

38. According to the phone records, ABDULLAHI next traveled north back into Seattle to an Arco/AM/PM gas station located in the area of 5700 Martin Luther King Junior Way South.

39. Detectives obtained surveillance video from the Jack-in-the-Box on Rainier Avenue South and the Arco/AM/PM gas station on Martin Luther King Junior Way South.

40. Around midnight on May 20, 2019, less than an hour before the shooting at the Apex Apartments, surveillance video shows ABDULLAHI's red Dodge Charger going through the drive-through at Jack-in-the-Box. ABDULLAHI was driving. There was a person sitting in the front passenger seat whose face could not be seen but was wearing a sweatshirt with large letters on the front that read "PUMA." When ABDULLAHI received his order from Jack-in-the-Box, he immediately handed something into the backseat area, suggesting that there was a third person in the vehicle.

41. When I contacted DORSEY on May 20, 2019, he was wearing a sweatshirt with large letters on the front that read "PUMA."

42. At 1:17 a.m. on May 20, 2019, less than 30 minutes after the shooting at the Apex Apartments, surveillance video shows ABDULLAHI's red Dodge Charger arrive and park at the Arco gas pumps. ABDULLAHI, who was wearing a gray Nike zip up hooded jacket and gray sweatpants, exited the passenger seat of the red Dodge Charger and walked into the AM/PM store. The vehicle's driver and any other occupants could not be seen in the surveillance video.

Criminal Histories

43. DORSEY is currently on federal supervised release in the Western District of Washington under cause number 17-CR-181-JLR. On February 12, 2018, DORSEY was sentenced to 21 months in custody and three years of supervised release for his felony conviction for Felon in Possession of Ammunition, in violation of Title 18, United States Code, Section 922(g)(1). He was released from federal custody to federal supervised release on or about February 28, 2019.

44. DICKERSON is currently on federal supervised release in the Western District of Washington under cause number 18-CR-226-RSL. On February 22, 2019, DICKERSON was sentenced to credit for time served and three years of supervised release for his felony conviction for Unlawful Possession of a Firearm, in violation of Title 18, United States Code, Section 922(g)(3). This is a conviction for a crime punishable by a term of imprisonment exceeding one year.

45. ABDULLAHI is currently on federal supervised release in the Western District of Washington under cause number 17-CR-71-RSM. On May 4, 2018, ABDULLAHI was sentenced to 18 months in custody and three years of supervised release for his felony conviction for Felon in Possession of a Firearm, in violation of Title 18, United States Code, Section 922(g)(1).

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Interstate Nexus Examinations

46. At my request, ATF Special Agent David Roberts reviewed photographs of the Glock 22 .40 caliber pistol, the Springfield XD 9mm caliber pistol; and the Walther PPQ 9mm caliber pistol recovered from ABDULLAHI's vehicle. SA Roberts has additional training and is considered an expert in determining the location of a firearm's manufacture. SA Roberts determined that none of the three firearms was manufactured in the State of Washington. Therefore, each firearm must have traveled in interstate commerce in order to arrive in the State of Washington.

INFORMATION ABOUT DNA

47. Based on my training and experience, I know that each human has his or her own Deoxyribose Nucleic Acid (DNA) markers, and that, since the inception of the use of DNA in forensic science, DNA analysis has been widely used for identification. Humans may leave traces of their DNA on objects in various forms, including, but not limited to, semen, sweat, and blood. In addition, based on my training and experience, I know that crime laboratories can identify the source of DNA obtained from a crime scene by the comparison of that DNA profile to the DNA profiles of persons from whom it may have originated.

48. Based on my training and experience, I know that DNA is typically collected from a person by rubbing one or more long cotton swabs against the inner cheek. The swabs are then preserved by being placed in a sterile container and sealed. If this search warrant application is approved, I will follow these protocols by swabbing DORSEY's, DICKERSON's, and ABDULLAHI's inner cheek/gum area with one or more long cotton swabs, provided to me in sterile form. I will then place the cotton swabs in a sterile container, and seal the container. I will then place the sterile container containing the swabs into another container that will be sealed and sent to the Washington State Patrol Crime Laboratory for DNA analysis.

CONCLUSION

49. Based on the information set forth above, I respectfully submit that there is probable cause to believe that the DNA evidence to be gathered pursuant to this affidavit will contain evidence of the offense of Felon in Possession of a Firearm, in violation of Title 18, United States Code, Section 922(g)(1).



ERIC STEFFES
Task Force Officer, ATF

SUBSCRIBED AND SWORN to before me this 1st day of July, 2019.



MARY ALICE THEILER
United States Magistrate Judge

ATTACHMENT A
(Places to Be Searched)

The person of the following individuals, currently held in custody at the Federal Detention Center in SeaTac, Washington:

Devaughn C. Dorsey, Jr.
Federal Register Number 48499-086

Leo M. Dickerson
Federal Register Number 49210-086

The person of the following individual, currently held in custody at the King County Jail in Kent, Washington:

Hamead I. Abdullahi
BA Number 219012757

ATTACHMENT B
(Items to Be Seized)

From the person of each individual identified in Attachment A:

Buccal swabs for DNA analysis in the form of saliva.